



Express Mail No.: EV 003 668 010 US

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Barbosa et al

Application No.: 09/853,544

Group Art Unit: 1614

Filed: May 10, 2001

Examiner: To be assigned

For: Markers for Evaluating Estrogenic Activity Attorney Docket No.: 10624-051-999

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

BOX MISSING PARTS

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:


In response to the Notice To File Missing Parts Of Nonprovisional Application, which was mailed on July 23, 2001 (a copy of which is attached hereto), Attorneys for Applicant respectfully submit herewith:

(1) a Declaration executed by the inventors; (2) a request for Extension of Time for 4 months up to and including January 23, 2002, with authorization for the required fee; (3) a Sequence listing in computer readable form, a paper copy of the Sequence Listing, and a statement that the content of the sequence listing information recorded in computer readable form is identical to the paper copy of the sequence listing; (4) a preliminary amendment to the specification, (5) a statement under 37 C.F.R. § 1.125, and (6) a replacement specification.

The fee required to be filed with the accompanying Declaration and Power of Attorney and Sequence Listing has been estimated to be \$130.00. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date January 23, 2002



47,167

Scott Warren

(Reg. No.)

PENNIE & EDMONDS LLP  
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For: Anthony M. Insogna  
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Enclosures



Express Mail No.: EV 003 668 010 US

#6

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**STATEMENT UNDER 37 C.F.R. § 1.125**

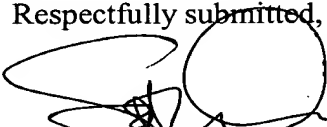
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned states that no new matter has been added to the Substitute Specification submitted with the present Amendment. See MPEP 608.01(q). The changes made to the original specification, and reflected in the Substitute Specification, are indicated in the "marked-up" version of the Substitute Specification enclosed herewith as Exhibit A.

Respectfully submitted,

Date January 23, 2002

  
\_\_\_\_\_  
47,167  
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Enclosures

JAN 23 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
853,544	05/10/2001	Miguel S. Barbosa	10624-051

CONFIRMATION NO. 7460

## FORMALITIES LETTER



\*OC000000006330565\*

PENNIE AND EDMONDS  
1155 AVENUE OF THE AMERICAS  
NEW YORK, NY 100362711

Date Mailed: 07/23/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

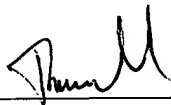
- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice MUST be returned with the reply.*

A handwritten signature in black ink, appearing to be "D. Smith", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE